

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0021 (Polvo's Parking Offsite)

P.C. DATE: May 22, 2012

ADDRESS: 603 W. Johanna Street

OWNER/APPLICANT: Jose Linares

AGENT: Moncada Consulting (Phil Moncada)

ZONING FROM: SF-3-NP **TO:** NO-MU-NP **AREA:** 723 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is deny the applicant's request for NO-MU-NP, Neighborhood Office-Mixed Use-Neighborhood Plan Combining District, zoning.

PLANNING COMMISSION RECOMMENDATION:

5/22/12: Approved staff's recommendation for denial of the rezoning request (9-0); S. Kirk-1st, D. Chimenti-2nd.

DEPARTMENT COMMENTS:

The property in question is developed with a single-family residence. The applicant is requesting to rezone 723 sq. ft. of this lot to NO-MU-NP to construct a private driveway that will provide access to a parking area behind the Polvo's restaurant to the south (Please see Revised Request Letter – Attachment A). The agents for this case have stated that the applicant's intent is to improve traffic flow through the neighborhood to the offsite parking area for the restaurant.

The staff recommends denial of the applicant's request for rezoning. The proposed NO-MU-NP zoning is not consistent with the future land use recommendation for single family in the Bouldin Creek Neighborhood Plan (Please See Bouldin Creek NP FLUM – Attachment B). In addition, the applicant's request to rezone a small portion of a single-family lot does not meet the intent of the Neighborhood Office district as described in the City of Austin Land Development Code. The property in question, a 723 sq. ft. strip of land, does not meet the minimum 'NO' district site development standards (5,750 sq. ft.) and therefore cannot be used to develop a small office use that will serve community needs. In addition, the property takes access to a local street that is only 30 feet wide and does not meet the 'NO' district definition for access to a collector street that has a minimum of 40 feet in width. The site under consideration is subject to compatibility standards to the west.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single-Family Residence
<i>North</i>	LR-MU-CO-NP	Restaurant (La Mexicana Bakery Panaderia)
<i>South</i>	LR-MU-NP	Proposed Parking Area (Offsite Parking for Polvo's Restaurant)
<i>East</i>	CS-MU-V-CO-NP	Restaurant (Polvo's)
<i>West</i>	SF-3-NP	Single-Family Residences

AREA STUDY: Bouldin Creek Neighborhood Plan

TIA: Not Required

WATERSHED: East Bouldin Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Monorail Project
Austin Neighborhoods Council
Bouldin Creek COA Liason
Bouldin Creek Neighborhood Association
Bouldin Creek Neighborhood Planning Team
Home Builders Association of Greater Austin
Homeless Neighborhood Association
League of Bicycling Voters
Perry Grid 614
SELTEXAS
Sierra Club, Austin Regional Group
South Central Coalition
SOCO-South First St.
South First IBIZ District
Super Duper Neighborhood Objectors and Appealers Organization
The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0152 (Versalles Body Shop: 2008 S. 1 st Street)	SF-3-NP to LR-MU-NP	10/25/05: Approved LR-MU-NP zoning (5-3, JC, CG, DS-No)	2/02/06: Approved LR-MU-NP zoning (7-0); on 1 st reading 3/23/06: Approved LR-MU-NP zoning (7-0); 2 nd /3 rd readings
C14-00-2180 (Fletcher Residence: 607 Fletcher Street)	SF-3 to GO	10/17/00: Approved staff rec. for denial (9-0)	3/22/00: Denied LO zoning (7-0)

RELATED CASES: NPA-2012-0013.01 (Neighborhood Plan Amendment)

SP-2011-0290T (Site Plan)

C8-1894-1071 (Subdivision)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Johanna St	60'	30'	Local	No	No	Within (1/4 mile)

CITY COUNCIL DATE: June 28, 2012

ORDINANCE READINGS: 1st

ORDINANCE NUMBER:

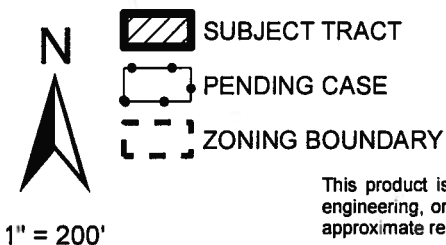
CASE MANAGER: Sherri Sirwaitis

ACTION:

2nd

3rd

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



ZONING CASE#: C14-2012-0021

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





STAFF RECOMMENDATION

The staff's recommendation is deny the applicant's request for NO-MU-NP, Neighborhood Office-Mixed Use-Neighborhood Plan Combining District, zoning.

BASIS FOR RECOMMENDATION

1. *The proposed zoning is not consistent with the purpose statement of the district sought.*

Neighborhood office (NO) district is the designation for a small office use that serves neighborhood or community needs, is located in or adjacent to a residential neighborhood and on a collector street that has a width of 40 feet or more, and does not unreasonably affect traffic. An office in an NO district may contain not more than one use. Site development regulations applicable to an NO district use are designed to preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

The proposed zoning area does not conform to the intent of the NO district as it does not meet the minimum 'NO' district site development standards (5,750 sq. ft.) and therefore cannot be used to develop a small office use or mixed use project that will serve community needs. In addition, the property takes access to a local street that is only 30 feet wide which does not agree the 'NO' district definition.

The staff's recommendation to maintain the existing SF-3-NP district zoning is consistent with the future Single Family land use designation for this tract of land in the Bouldin Creek Neighborhood Plan.

2. *Zoning should not constitute a grant of special privilege to an individual owner. Granting of the request should result in an equal treatment of similarly situated properties.*

The applicant's request to rezone only 723 sq. ft. of a single family lot to an office-mixed use district is not consistent with surrounding zoning districts as there is no Neighborhood Office-Mixed Use zoning in this area. This rezoning proposal would result in a single family residential lot with a commercial driveway through it. The proposed zoning would constitute a grant of special privilege to the applicant as it is simply a means for the owner to connect a restaurant to an adjacent off-site parking area, without consideration for the intent of the proposed zoning district or the existing single family residential uses to the west.

EXISTING CONDITIONS

Site Characteristics

The site in question is currently part of a lot that currently contains a single-family residence.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the East Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the NO zoning district would be 60%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is located in the East Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Note: The most restrictive impervious cover limit applies.

Site Plan

Off-site accessory parking is prohibited in NO zoning. Parking for Polvo's at this location would not be allowed if zoned NO.

Compatibility Standards

- a. The site is subject to compatibility standards. Along the West property line, the following standards apply:
- b. **No structure may be built within 15 feet of the property line.**
- c. **No parking allowed within 5 feet of the property line.**
- d. **A landscape area at least 15 feet wide is required along the property line.** In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- e. A front building setback of 25 feet applies because the tract is adjacent to single-family.
- f. Additional design regulations will be enforced at the time a site plan is submitted.

Site plans will be required for any new development other than single-family or duplex residential.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

Additional right-of-way maybe required at the time of subdivision or site plan application.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Johanna St	60'	30'	Local	No	No	Within (1/4 mile)

Water and Wastewater

FYI: The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Moncada Consulting

P.O. Box 684594
Austin, TX 78768

Phone: (512) 474-7377 Fax: (512) 474-4923

March 28, 2012

Ms. Sherri Sirwaitis
City of Austin
Senior Planner
505 Barton Springs Rd
Austin, Texas 78704

**RE: 603 W. Johanna – Plan Amendment and Rezoning
Case Number C14-2012-0021**

Dear Ms. Sirwaitis ,

This summary letter is being provided to clarify our request for a plan amendment and proposed zoning change for 603 W. Johanna. My client is addressing a City of Austin requirement associated with parking for the existing Polvo's Restaurant. In addition, we are trying to address the Bouldin Creek Neighborhood Association's concerns regarding parking along residential streets. The rezoning request is to rezone a portion of this lot (which is currently zoned SF-3-NP) for an access driveway leading to a proposed parking lot (currently zoned LR-MU-NP) directly behind this address. We have previously provided Maureen Meredith a revised sketch with field notes for this rezoning request.

Thank you in advance for your consideration and feel free to give me a call if you have any questions.

Sincerely,

Anna Molieri

FOR Phil Moncada
Phil Moncada
Moncada Consulting



HOLT CARSON, INC.

PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084
www.hciaustin.com

ACCESS EASEMENT

FIELD NOTE DESCRIPTION OF 723 SQUARE FEET, BEING A TWELVE (12) FEET WIDE ACCESS EASEMENT OVER AND ACROSS A PORTION OF LOT 3, BLOCK F, J.E. BOULDIN ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1 PAGE 71 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point for the Southwest corner of Lot 3 and the Southeast corner of Lot 4, of Block F, J.E. Bouldin Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 1 Page 71 of the Plat Records of Travis County, Texas, and from which a ½" iron rod found for the Southwest corner of Lot 8, Block F, of said J.E. Bouldin Addition, bears N 68 deg. 39' 52" W 260.90 ft.;

THENCE with the South line of said Lot 3, S 68 deg. 39' 52" E 24.34 ft. to a point for the Southwest corner and **PLACE OF BEGINNING** of the herein described easement;

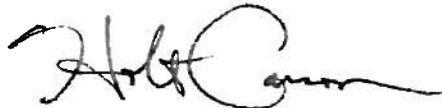
THENCE crossing the interior of said Lot 3 with the curving Westerly line of this easement, along a curve to the right with a radius of 100.00 ft. for an arc length of 72.56 ft. and which chord bears N 53 deg. 31' 08" E 70.98 ft. to a point in the common line of Lot 2 and Lot 3, Block F, of said J.E. Bouldin Addition, for the North corner of this easement;

THENCE with the common line of said Lot 2 and Lot 3, S 30 deg. 44' 39" W 18.98 ft. to a point for an angle corner of this easement;

THENCE re-crossing the interior of said Lot 3 with the curving Easterly line of this easement along a curve to the left with a radius of 88.00 ft. for an arc length of 47.61 ft. and which chord bears S 49 deg. 48' 43" W 47.03 ft. to a point in the South line of said Lot 3 for the Southeast corner of this easement;

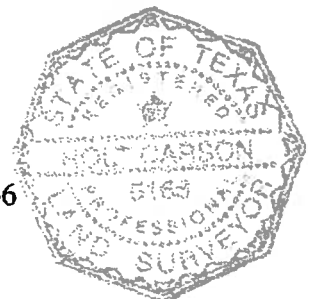
THENCE with the South line of said Lot 3, N 68 deg. 39' 52" W 12.28 ft. to the **PLACE OF BEGINNING**, containing 723 square feet of land.

PREPARED: March 6, 2012



Holt Carson

Registered Professional Land Surveyor No. 5166



see accompanying map: C 865132

IPF®

3-53.24.05A

56°41'08"E

22.9

52 19'

52.19

LOT 4.

LOT 3

LOT 2

LOT 1

723 Square Feet
12' wide
Access Easement

J.E. BOULDIN/ ADDITION
VOLUME 1/ PAGE 71

SOUTH 1st STREET (60')

Point of Reference

N 68° 39' 52" W
260 90'

Southwest corner of
Lot A Block F

PLACE OF
BEGINNING

SKETCH TO ACCOMPANY
FIELD NOTE DESCRIPTION OF

723 SQUARE FEET BEING A TWELVE
[12] FEET WIDE ACCESS EASEMENT
OVER AND ACROSS A PORTION OF
LOT 3, BLOCK F, J.E. BOULDIN ADDITION,
A SUBDIVISION IN TRAVIS COUNTY,
TEXAS, ACCORDING TO THE MAP
OR PLAT THEREOF RECORDED IN
VOLUME 1 PAGE 71 OF THE PLAT
RECORDS OF TRAVIS COUNTY, TEXAS.

CURVE DATA

①

$\Delta = 41^{\circ}34'22''$
 $R = 100.00'$
 $T = 37.96'$
 $C = 70.98'$
 $A = 72.56'$
 $CB = N53^{\circ}31'06"E$

②

$\Delta = 31^{\circ}00'01''$
 $R = 88.00'$
 $T = 24.40'$
 $C = 47.03'$
 $A = 47.61'$
 $CB = 549^{\circ}48'43''W$

PREPARED: March 6, 2012

BY:

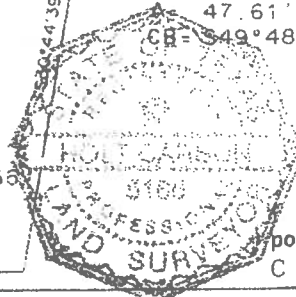
Hol. Carson

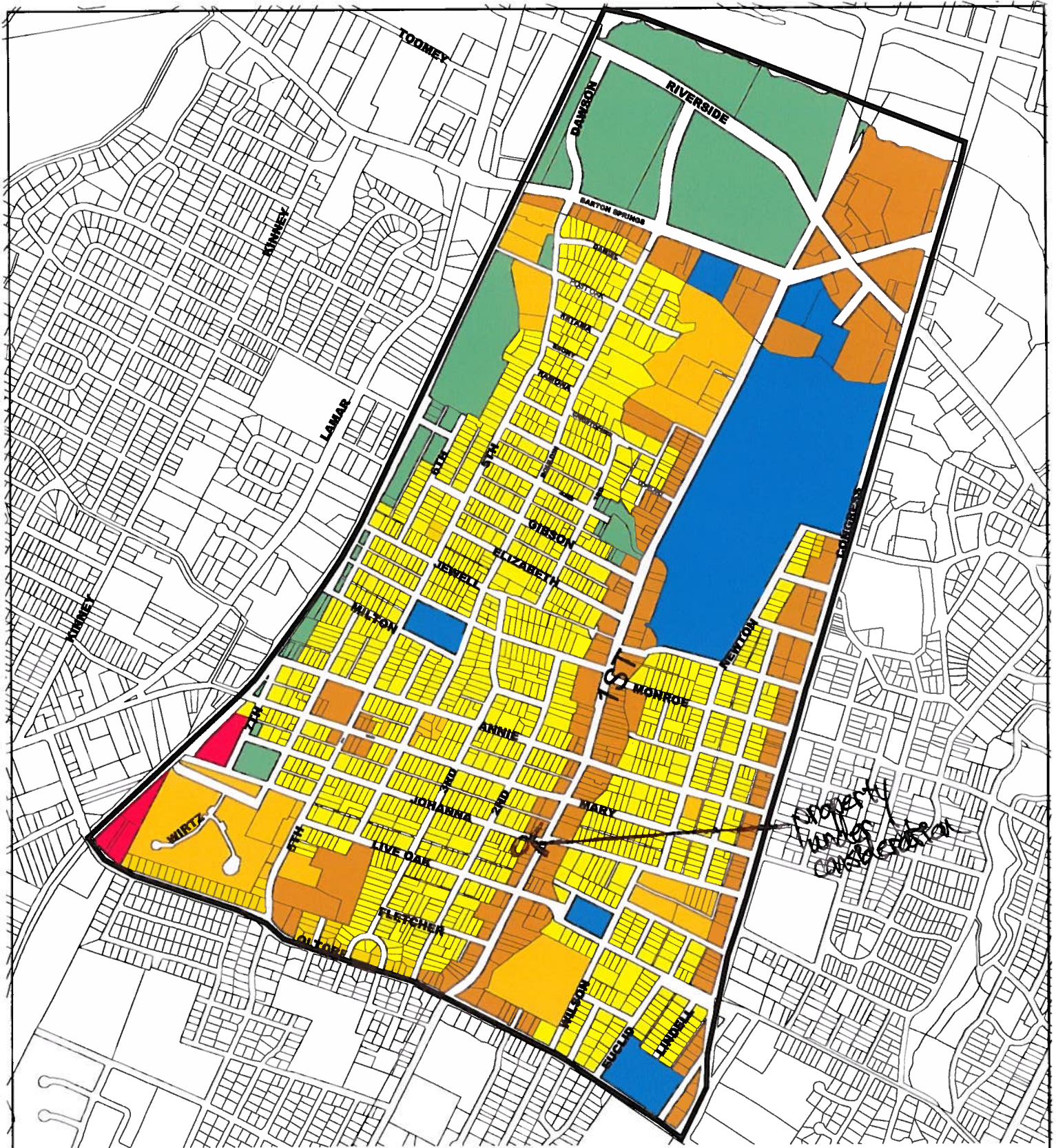
Registered Professional Land Surveyor No. 5162

N68°41'08"W
50.00'

N68°41'09"W 100.00'

polvos.dgn
C 865132





Bouldin Creek Neighborhood Planning Area Future Land Use Map

Neighborhood Planning and
Zoning Department
March 2002

A comprehensive plan shall not
constitute zoning regulations or
establish district boundaries.

- | | |
|--|--|
| Single-Family | Mixed Use |
| Higher-Density Single-Family | Civic |
| Multifamily | Open Space |
| Commercial | |



Sirwaitis, Sherri

From: Ruben Ibarra [ruben@ausintxcpa.com]
Sent: Monday, April 30, 2012 10:04 PM
To: Sirwaitis, Sherri; Meredith, Maureen
Subject: Zoning application C14-2012-0021 and neighborhood plan amendment NPA-2012-0013.01 for Polvos

Dear Ms. Sirewaitis and Ms. Meredith,

My wife and I along with our eight year old daughter live at 607 W. Johanna. Our location is basically one small yard from the proposed sight of the requested parking lot.

We are both adamantly against the rezoning of any portion of the 603 Johanna St. residence to "NO" status.

Time and time again the applicant has consistently disregarded following set city policies and processes created to protect the neighborhoods and individuals (please reference all the numerous complaints against "Polvos" in the past 5 years). The applicants request has no inherent benefit for the neighborhood, only the one applicant. We ask the city to consider the good of the majority (neighborhood) versus gains of the few or even one party.

Thanks in advance for you time and consideration.

Regards,

Ruben Ibarra / Sharon Mckinney

Sirwaitis, Sherri

From: Jeffrey Schryver [mailto:jeffschryver@mac.com]
Sent: Friday, April 27, 2012 7:05 PM
To: Sirwaitis, Sherri
Subject: zoning application C14-2012-0021 and neighborhood plan amendment NPA-2012-0013.01 for Polvos

Dear Ms. Sirwaitis,

Regarding the zoning application C14-2012-0021 and neighborhood plan amendment NPA-2012-0013.01 for Polvos

Our understanding of the proposal is that the lessee of Polvos owns the adjacent residential property (ARP) and the orthogonally adjacent commercial property (proposed parking lot -PPL).

The action is to link Polvos with the PPL by rezoning the ARP thus creating a thru-residential commercial by-pass. This is unnecessary as both Polvos and the PPL have street access currently.

Polvos accesses 1st street and Johanna. The PPL accesses the alley with immediate access to 1st street. Therefore, there exists no need to link the two commercial properties by turning a residential property into a commercial pass-thru. Both Polvos and the PPL have street access and a convenient pedestrian pathway between each other through the alley and 1st street. The distance between the current pathway via 1st street and the proposed pathway through the existing residence are identical distances. Thus no access advantage to Polvos is accomplished by this current proposal.

However, should the residential property be rezoned and allow both pedestrian and vehicle pathways through the neighborhood it would substantially invade the residential adjacent properties on both the alley and Johanna St.

This proposal to rezone the ARP is simply a business convenience for the owner as it will give him additional parking space with 1st street access. While commercially valuable to him it would come at the cost of substantial ingress and degradation of the neighboring residential properties. Further, it would create a high volume thru-way that poses both safety risks and loss of buffer zone between an extremely high volume restaurant and their residential neighbors.

We strongly object to the proposed necessity of this rezoning. It accomplishes no increase in accessibility for the Polvos customers, no decrease in convenience for them, and would substantially degrade the current delicate balance between the neighborhood (already stresses by the volume of customer traffic through our yards and street) and the existing working situation.

We urge you to reject this unnecessary rezoning proposal.

Sincerely,
Jeffrey and Linda Schryver
609 w Johanna st
78704

512-934-1937

Jeffrey Schryver

Jeffrey Schryver

5/2/2012

Sirwaitis, Sherri

From: Mark Cathcart [mailto:mark_cathcart@yahoo.co.uk]
Sent: Thursday, April 26, 2012 2:12 PM
To: Meredith, Maureen; Sirwaitis, Sherri
Subject: zoning application C14-2012-0021 and neighborhood plan amendment NPA-2012-0013.01

Maureen and Sherri,

I live at 605 W Johanna, and am just writing to again put on record my total objection to this zoning and neighborhood plan amendment.

I purchased my house in 2006, their original purchase of 603 W Johanna was in the spring of 2007. Since then they have, without regard to the rules, laws or their neighbors, on many occasions extended and demolished property; extended seating at one point adding 58-seats to the outdoor seating; removed trees without permit; used the residential drive that abuts my private driveway to park commercial and staff vehicles in the rear the property; exceeded impervious cover; and many other instances that shows their complete disregard. If commercial access, in any form, is allowed to the 603 Single family lot, even on a restricted basis, there is no telling what will happen next.

If approved this application will put a commercial driveway within 35ft of my living room and master bedroom/bathroom. This will have a significant quality of life, and financial impact on me, lowering the value of my house and making it MUCH more difficult to sell. Since the application has no real neighborhood benefit, and doesn't even seem to fit the NO zoning requirements, and the 600 block of W Johanna will still be full of parking, I fail to see how this can possibly be allowed to benefit the restaurant.

Thank you for your time and diligence on this case

Yours.

Mark Cathcart
605 W Johanna St, 78704

4/27/2012

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0021

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 22, 2012, Planning Commission

June 28, 2012, City Council

TERENCE DAGHAR GRIEDER
Your Name (please print)

☐ I am in favor
☒ Object

502 W. LIVE OAK ST, AUSTIN, TX 78704
Your address(es) affected by this application

Daryl Creed 5/12/12
Signature Date

Daytime Telephone: 512-916-8961

Comments: POLLOS IS A BAD NEIGHBOR. NEVER PLAYS BY THE RULES. IN VIOLATION OF CITY CODE AND ORDINANCES AT ALL TIMES

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0021

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 22, 2012, Planning Commission

June 28, 2012, City Council

DAGMAR ORIEDER
Your Name (please print)

☐ I am in favor
☒ I object

712 W. LIVE OAK ST.
Your address(es) affected by this application

Deylee Guehl
Signature

5/12/12
Date

Daytime Telephone: 512 916 - 8961

Comments: POLVO'S OWNERSHIP HAS DEMONSTRATED TOTAL DISREGARD FOR ALL LAWS AND ORDINANCES.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0021

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: May 22, 2012, Planning Commission
June 28, 2012, City Council**

John A. Pratt
Your Name (please print)

614 W. Johanna
Your address(es) affected by this application

[Signature]
Signature

512-264-1101
Daytime Telephone:

5-13-12
Date

☐ I am in favor
☒ I object

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0021

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 22, 2012, Planning Commission

June 28, 2012, City Council

John A. Pratt

Your Name (please print)

614 W. Johanna

Your address(es) affected by this application

John Pratt

Signature

Date

Daytime Telephone: 512-264-1101

Comments:

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Moncada Consulting

P.O. Box 684594
Austin, TX 78768

Phone: (512) 627-8815 Fax: (512) 474-4923

June 18, 2012

Ms. Sherri Sirwaitis
City of Austin
Senior Planner
505 Barton Springs Rd
Austin, Texas 78704

RE: 603 W. Johanna – Case Number C14-2012-0021

Dear Ms. Sirwaitis ,

Via this letter, I respectfully request that the city postpone the City Council meeting scheduled for June 28, 2012 for this project. Please reschedule it for the August 2, 2012 City Council meeting.

Thank you in advance for your consideration and feel free to give me a call if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Phil Moncada". The signature is fluid and cursive, with a long horizontal stroke at the end.

Phil Moncada
Moncada Consulting